

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

HEATHER DEWITT,)	
)	
Plaintiff,)	
)	
v.)	
)	1:18CV694
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

On May 2, 2019, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action, and a copy was given to the court.

Within the time limitation set forth in the statute, counsel for Defendant objected to the Recommendation.

The court has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Commissioner's decision findings no disability is REVERSED, and the matter is REMANDED to the Commissioner under sentence four of 42 U.S.C. § 405(g). The Commissioner is directed to remand the matter to the ALJ for further administrative action as set out in the Recommendation of United States Magistrate. To this extent, Plaintiff's Motion for Judgment Reversing the Commissioner, (ECF No. 9), is GRANTED and Defendant's Motion for Judgment on the Pleadings, (ECF

No. 11), is DENIED. A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 5th day of June 2019.

/s/ Loretta C. Biggs
United States District Judge